

EXHIBIT 17

0 01

2 IN THE UNITED STATES DISTRICT COURT
3 FOR THE NORTHERN DISTRICT OF OHIO
4 EASTERN DIVISION

5 -----X

IN RE: NATIONAL PRESCRIPTION MDL No. 2804
6 OPIATE LITIGATION,

Case No. 17-MD-2804

7 This document relates to:

8 All Cases Hon. Dan A. Polster

9 -----X

10 * HIGHLY CONFIDENTIAL *

11 * SUBJECT TO FURTHER CONFIDENTIALITY REVIEW *

12 VIDEOTAPED DEPOSITION

13 OF

14 LACEY R. KELLER

15 New York, New York

16 Thursday, June 13, 2019

17

18

19

20

21

22

23

Reported by:

24 ANNETTE ARLEQUIN, CCR, RPR, CRR, RSA

25

1

2 CVS and Cardinal have produced complete
3 shipment data for the CVS pharmacy at 8000
4 Euclid Avenue?

5 A. I was not provided with that
6 data.

7 Q. Okay. And did you consider the
8 expert report of Sonya Kwon where she
9 quantified the percentage of controlled and
10 non-controlled substances that were shipped
11 to the CVS at 8000 Euclid Avenue?

12 A. I have not read that report or am
13 I familiar with it.

14 Q. Okay. In analyzing these
15 pharmacies, did you consider whether there
16 was any regulatory or law enforcement
17 action taken against any of the?

18 A. That would be outside of the
19 scope of the report.

20 Q. And did you consider whether
21 there was any regulatory, law enforcement
22 or disciplinary action taken against any
23 pharmacists who worked on those stores?

24 A. Again, that would be outside of
25 the scope of the report.

1

2 Q. Okay. And did you determine
3 whether any prescription opioids shipped to
4 these pharmacies were diverted?

5 A. Again, that would be outside of
6 the scope of this report.

7 Q. Okay. So just so we can button
8 this all up, you considered chargeback data
9 and ARCOS data related to these stores and
10 that's it?

11 A. And also Purdue's 867.

12 Q. Okay. And Purdue's 867, and that
13 is the extent of the data that you
14 considered related to these stores?

15 A. With the exception of helper
16 files to help clean them up, whether it's
17 an NDC code or MMEs. But as far as data
18 concerning those stores and the
19 transactions about them, then, yes.

20 Q. But that's helper files to help
21 clean up that data, right?

22 A. Correct.

23 Q. And you didn't look at any due
24 diligence files that Cardinal or McKesson
25 or CVS produced related to these stores?

1

2 A. Correct. That would be outside
3 of the scope here.

4 Q. Okay.

5 MR. HYNES: I have no further
6 questions. Thank you very much.

7 THE WITNESS: Thank you.

8 THE VIDEOGRAPHER: The time is
9 6:26 p.m. We are now off the record.

10 (Recess is taken.)

11 THE VIDEOGRAPHER: The time is
12 6:27 p.m. We are back on the record.

13 EXAMINATION BY

14 MS. PERSIO:

15 Q. Hi, Ms. Keller. Thank you for
16 being here today.

17 A. Thanks for having me.

18 Q. My name is Joanna Persio. I
19 represent the Endo and the Par defendants
20 in this litigation. I have just a few
21 questions for you.

22 I think I know the answers to
23 these, so hopefully I will be brief. I
24 know it's been a long day so far.

25 Is it correct that you haven't